



THOMAS G. BRUTON
CLERK

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
219 SOUTH DEARBORN STREET
CHICAGO, ILLINOIS 60604

312-435-5670

Notice Concerning Waiver of Judicial Disqualification

From: Thomas G. Bruton
Clerk of the Court
Northern District of Illinois

Date: June 9, 2015

To: Steven Block
Carrie Hamilton
Assistant U.S. Attorneys

Thomas C. Green
Sidley Austin LLP
Washington, DC
Counsel for Defendant

John N. Gallo
Sidley Austin LLP
Chicago, IL
Counsel for Defendant

Re: *United States v. John Dennis Hastert*, No. 15 CR 315

Canon 3D of the Code of Conduct provides (with exceptions not pertinent to this case) that when a judge is disqualified in a proceeding because "the judge's impartiality might reasonably be questioned," the judge may participate in the proceeding only if all the parties and lawyers, after notice of the basis for the disqualification, have an opportunity to confer outside of the presence of the judge and all agree in writing to waive the disqualification under a procedure independent of the judge's participation.

Unless a waiver is obtained from all parties and all counsel, Judge Durkin intends to disqualify himself in this proceeding because of the circumstances explained in open court on June 9, 2015.

If you and your client wish to waive Judge Durkin's disqualification, letters to that effect from you and from your client must be received by me by 4 p.m. on Thursday, June 11, 2015. The letter you should use for that purpose is enclosed. The letter should be signed and submitted by you and your client only after consultation with your client. The letters should not be sent to Judge Durkin and copies should not be sent to other counsel. **DO NOT E-FILE YOUR LETTER(S). SUBMIT IT DIRECTLY TO THE CLERK OF COURT**, either by hand delivery to 219 S. Dearborn, Suite 2050, Chicago, Illinois 60604, or sent as an attachment to the following e-mail address: Thomas_Bruton@ilnd.uscourts.gov. If letters are submitted on behalf of all parties, this Notice and all responses will be made part of the public record, as required by Canon 3D of the Code of Conduct for United States Judges, and Judge Durkin will continue to participate in the proceeding. If a waiver is not received from each party, any responses will be kept under seal by the Clerk and not shown to Judge

Durkin, nor will Judge Durkin be informed of the identity of any party or lawyer who declined to waive the disqualification. If the disqualification is not waived, the case will be randomly reassigned to another judge.

Signed,



Thomas G. Bruton

Clerk of Court

United States District Court

Northern District of Illinois

Enclosures

From: Steven Block
Carrie Hamilton
Assistant U.S. Attorneys
Northern District of Illinois

To: Thomas G. Bruton
Clerk of the Court
United States District Court
Northern District of Illinois

Date: _____

Re: *United States v. John Dennis Hastert*, No. 15 CR 315

Dear Mr. Bruton:

The government has considered the Clerk's Notice that Judge Durkin intends to disqualify himself from this case because his impartiality might reasonably be questioned. The government hereby waives this disqualification. The government is willing to proceed forward with Judge Durkin presiding.

Pursuant to Canon 3D of the Code of Conduct, the government is submitting this letter to the Clerk of Court, but the government is not copying Judge Durkin, nor are we copying the other counsel of record or the other parties.

Yours truly,

ZACHARY T. FARDON
United States Attorney

By: _____
Steven Block
Carrie Hamilton
Assistant U.S. Attorneys
Northern District of Illinois

From: Thomas C. Green
Sidley Austin LLP
Washington, DC
Counsel for Defendant

John N. Gallo
Sidley Austin LLP
Chicago, IL
Counsel for Defendant

To: Thomas G. Bruton
Clerk of the Court
United States District Court
Northern District of Illinois

Date: _____

Re: *United States v. John Dennis Hastert*, No. 15 CR 315

Dear Mr. Bruton:

We have consulted with our client, John Dennis Hastert, concerning the Clerk's Notice that Judge Durkin intends to disqualify himself from this case because his impartiality might reasonably be questioned. We hereby waive this disqualification. We are willing to proceed forward with Judge Durkin presiding.

Pursuant to Canon 3D of the Code of Conduct, we are submitting this letter to the Clerk of Court, but we are not copying Judge Durkin, nor are we copying the government. Mr. Hastert's signature is included below to indicate his agreement.

Yours truly,

Thomas C. Green
John N. Gallo
Sidley Austin LLP
Counsel for Defendant

John Dennis Hastert